

Remarks:

This amendment is submitted in an earnest effort to advance this case to issue without delay.

Claims 1 and 20 have been combined, thereby reducing the number of claims and introducing no new issues. Thus entry of this amendment after final action is by matter of right. Main claim 12 thus now specifically states that the cooker is a fryer, and specifically recites a body of oil in its vessel.

US 4,850,540 of Taniguchi shows a valve structure where in no figure is the tube 4 shown extending downward. Instead this tube extends, at its lowest position, horizontally. Thus Taniguchi does not have a feature specifically recited in main claim 12.

In addition Taniguchi does not suggest any use of this valve in a cooker of any kind, much less a fryer. Instead Taniguchi relates to a valve for dispensing a liquid onto something being machined so it is not even a drain valve in the normal meaning of the term.

In US 2001,0054538 of Rigney a structure is shown that represents the exact admitted prior art. Here a fryer has at the lower end of its oil-filled vessel a valve that can be opened to

drain off the oil. After such draining the valve can be guaranteed to drip.

There is nothing to suggest that the dispensing valve of Taniguchi, which apparently does not move into the downwardly extending position defined in claim 12, should be used in the Rigney fryer. Indeed there is no recognition in Rigney of this dripping problem, so there would be no motivation to do so.

A §103 rejection on the combination of Taniguchi and Rigney is out of the question because:

1. A critical feature of the invention - the ability of the tube of the valve to move into a downwardly extending position - is not seen in either reference.
2. There is no suggestion that either reference recognizes the drip problem cleverly solved by the instant invention.

Thus allowance of all claims and passage to issue are in order.

If only minor problems that could be corrected by means of a telephone conference stand in the way of allowance of this

case, the examiner is invited to call the undersigned to make the necessary corrections.

K.F. Ross P.C.

*/Andrew Wilford/*

by: Andrew Wilford, 26,597  
Attorney for Applicant

07 October 2009  
5683 Riverdale Avenue Box 900  
Bronx, NY 10471-0900  
Cust. No.: 535  
Tel: 718 884-6600  
Fax: 718 601-1099  
Email: [email@kfrpc.com](mailto:email@kfrpc.com)

Enclosure:

None.